

















## THE COURTS.

## The Trial of E. A. Gibbs Before Judge Smith.

Charged with Obtaining Property by False Pretenses.

Virgil G. Baker Wants \$10,000 Damages for Malicious Prosecution.

Argument in the Cohn Contest—Mrs. Gregory Released on Payment of a Light Fine—The Leffer Murders—General Court Notes.

The trial of the case against Edward A. Gibbs, who was recently indicted by the grand jury for obtaining property by means of false pretenses, was commenced before Judge Smith in Department One yesterday morning. Assistant District Attorney McCombs appeared for the prosecution, while the defendant was represented by Messrs. Del Valle and Munday and F. L. Binford. During the morning session the following jurors were selected to try the case: L. L. Adams, R. Barber, B. F. Chamberlain, H. Cleveland, J. W. Clyman, J. C. Cunningham, J. Q. Hutton, A. J. Johnson, P. W. McStay, H. L. Pinney, C. C. Warner and S. Washburn.

The only witness examined was the complainant, J. H. Alderson, who stated that on April 30 of last year he negotiated with defendant for the purchase of his livery stable. The price agreed upon was \$1350. Gibbs did not appear to have much ready cash, so he put up a note for \$1338.33, dated December 10, 1889, bearing 8 per cent. interest, and indorsed by one Donald McKay. This note was secured by a mortgage on a piece of land, which was to be valuable piece of land. This note was held by Gibbs, who turned it over to Alderson, declaring that McKay was very good security. Alderson, thinking that he had a bargain, traded his livery stock for the note and mortgage. He soon learned that he had made a mistake, as the note was worthless for there was no such person as Donald McKay, and the mortgage was equally worthless. He tried to get back his property, but it had been taken away from the stable and disappeared. The case will be resumed this morning.

Suit was commenced in the Superior Court yesterday by Virgil G. Baker, a real estate dealer, doing business on First street, to recover damages in the sum of \$10,000 from L. B. Palmer and Mr. and Mrs. W. H. Raymond of Pasadena for an alleged malicious prosecution and false imprisonment. Baker was arrested on a warrant issued by Justice Stanton on January 22, at the instance of the Raymonds, who charged him with grand larceny, alleging that he stole some furniture; but he was discharged by the justice upon examination yesterday afternoon.

In Department Two yesterday the argument in the famous contest over the estate of Bernard Cohn, deceased, was resumed before Judge Clark, the matter being presented on behalf of the contestants by W. H. Shinn, Esq., who will continue his address to the court today as soon as the probate calendar is disposed of.

THE LEFFLER MURDERERS. Andrew Kandalek and Janon Korinos, the two slaves charged with the murder of Night Watchman Leffer, appeared before Judge Smith yesterday to plead. Their counsel, H. J. Crawford, Esq., presented a demurrer to the information against them, which was overruled by the court. Each then entered his plea of not guilty, and the case was thereupon set for trial on April 4 next.

LET OFF WITH A FINE. In the United States District Court yesterday morning Mrs. Mary Gregory appeared before Judge Ross to answer to the charge of having while officiating as postmistress at Los Viejos in San Diego county falsified her returns to the department at Washington, and upon pleading guilty the case was fined in the sum of \$50. The fine was paid and Mrs. Gregory was released from custody.

Court Notes. In Department One yesterday morning Ah Chow and Ah Kid were duly arraigned by Judge Smith upon the charge of having assaulted M. J. Shea, with force liable to do great bodily injury, at Burbank recently, and were allowed until Wednesday to plead thereto. Judge Wade rendered his decision in the case of L. R. Long vs. R. K. Kichine et al., ordering judgment for plaintiff in accordance with a brief opinion filed therein.

Owing to the absence of the defendant's attorney the time for J. K. Stump to plead to the charge of obtaining property by means of false pretenses was continued by Judge Smith yesterday until Wednesday morning.

C. E. Norton, one of the real estate men recently indicted by the grand jury, appeared before Judge Smith yesterday and demanded a separate trial, whereupon his case was transferred to Department Five.

The trial of the case against Macaris and Diego Tapia, charged with rape, was set by Judge Smith yesterday for March 14 next.

Mrs. Emma L. Elder was granted a decree by Judge Clark yesterday divorcing her from F. S. Elder on the ground of failure to provide.

Harry Goetz, a Canadian, was duly admitted to citizenship by Judge Van Dyke yesterday upon producing the necessary proofs of residence here and taking the requisite oaths of renunciation and allegiance.

Judge Van Dyke sustained the demurrer of the defendant in the case of L. Washburn vs. Julius Lyons et al., an action on street assessment, and as plaintiff refused to amend his complaint, ordered judgment for defendant as to his costs.

In Department Five, yesterday Judge Shaw dismissed the appeal in the case of J. Albertus vs. Sheldon Littlefield, at plaintiff's costs, upon defendant's motion.

In Department Six, yesterday, Judge McKinley, denied the motion of the plaintiff in the case of W. L. Webb et al., to the effect that the receiver be directed to sell part of the personal property involved.

Among the documents filed with the County Clerk yesterday were the preliminary papers in the following new suits:

James Craig vs. H. C. Lyon et al.; suit to quiet title to two lots at Santa Monica.

G. A. Clark et al. vs. S. Hedges; suit to recover \$517.50, alleged to be due on two notes.

Petition of David Galbraith for the admission to probate of the will of Jane M. Ewing, deceased, who died on December 20 last, at Pasadena, leaving real and personal property valued at \$35,000.

Petition of James W. Neighbors for letters of administration to the estate of Burrell Neighbors, deceased, who died on January 23, 1890, in New Mexico, leaving personal property valued at \$500.

Today's Calendar. DEPARTMENT ONE—Judge Smith. People vs. E. A. Gibbs; false pretenses; on trial.

DEPARTMENT TWO—Judge Clark. Estate of E. Gay, deceased; will. Estate of John C. Dunlap, deceased; account and distribution.

Estate of Stephen Munroe, deceased; account and distribution. Estate of Harriet Shaw, deceased; letters.

Estate of Will Sheppard, deceased; account and distribution. Estate of Nellie I. Ward, deceased; will.

Estate of G. Dalton, Sr., deceased; will. Estate of Will J. Flatley, deceased; letters.

Estate of E. K. Chapin, deceased; letters. Estate of Rhoda Connor, deceased; letters.

Estate of Jose Tapia, deceased; letters. Estate of Phoebe S. Colling, deceased; letters.

Estate of M. B. McQuaid, deceased; return sale of personal property. Estate, etc., of Paulek minors; account.

Estate of James Hart, deceased; assignment of estate. Estate of O. W. Childs, deceased; partial distribution.

Estate of Elizabeth Hunter, deceased; partial distribution. Estate of Mary Martin, deceased; return sale of personal property.

Estate of E. P. Sweet et al. vs. James Stewart; damages. DEPARTMENT THREE—Judge Wade.

San Gabriel Valley Land and Water Company vs. A. L. Burbank; contract. DEPARTMENT FOUR—Judge Van Dyke.

Kim Wo Lung vs. T. F. Joyce; labor. H. H. Kingsbury, Sr., vs. J. D. Tracy; for possession.

DEPARTMENT FIVE—Judge Shaw. G. F. Costerian vs. Mrs. A. M. Seitz; appeal. DEPARTMENT SIX—Judge McKinley.

J. C. Blackinton vs. C. F. Francis et al.; appeal. J. C. Blackinton vs. C. F. Francis et al.; damages.

RAILROAD AFFAIRS. Julian Wants Railroad Connection with Los Angeles.

The Transcontinental Association to Meet in Southern California—Some Santa Fe Changes—General and Local.

The people of that portion of San Diego county round about the Julian district, now that they see no hopes of a railroad to the county seat, are looking toward Los Angeles for rail communication. The Julian Sentinel in discussing the recent bond defeat says that the region must have an outlet. "If it cannot be west to the Silver Gate, then let it be north," says the Sentinel. "We would suggest that a mass-meeting of our citizens be called at the earliest moment."

It has been stated, and that on good authority, that Los Angeles capital can be secured to aid in the building of a line from the north if the large grant owners and residents of the mountains will do their part. Los Angeles would thereby secure the large trade from this section of the county that now entirely flows through San Diego merchants' hands. The mountain fruit-growing and mineral belt would secure communication with the outside world and a market for its produce. This district has been for years self-sustaining, and adding more to the material wealth of the county in bullion and produce, and giving San Diego city a larger trade, than any other section of the county. It would be a sad commentary upon our acknowledged wealth and power if we are compelled to sit in isolated solitude, awaiting the sometime future to give us the transportation facilities we deserve. The time is at hand, the opportunity is ripe, we can have the road by proper efforts. Let us strike while the iron is hot."

SCRAP HEAP. Los Angeles railroad officials are anxiously watching the rain gages nowadays, fearing the recurrence of last season's flood experiences. The Judson excursion agency now has a through sleeping car line between Los Angeles and St. Paul and Minneapolis, running each way once a week.

S. F. Judson, general manager of the Pecos Valley Railroad, who has for some time past been visiting in California, is now in this city. Today he will go eastward on the Sunset to Pecos. W. A. Bissell, general freight agent of the Atlantic and Pacific Railway, has telegraphed from Chicago that arrangements are about made to hold the next session of the Freight Committee of the transcontinental Association at Los Angeles and St. Paul and Minneapolis, running each way once a week.

H. C. Ives, assistant to President Manvel of the Atchison, has accepted the superintendency of the Chicago-Kansas City division of the Atchison. He succeeded, on February 1, A. P. Tanner, who will go into the traffic department. John Doyle has been appointed master car builder and Robert Walker superintendent of car department of the Missouri, Kansas and Texas.

The San Diego Union of Sunday says: "Judge Woods left by Friday afternoon's train for Los Angeles. He went in the interests of the San Diego Electric Railroad Company, and made the final payment of \$90,000 for the franchise and property of the San Diego Street Car Company. The deposit was made Friday evening in favor of Charles L. Batcheller, master in chancery of the United States Court at Los Angeles, and a deed transferring the property was to have been issued yesterday."

Newspaper Waifs. A weather profit—an income on the sale of overcoats.—[Washington Star.] A Great Drawback—Dougal (with all his native contempt for the Londoner). Aye, mon, an' he's no bad shot! Davie. Deed an' he's a verra good shot. Dougal. Hech! It's an awfu' peefle he's a Londoner!—[Punch.] Miss Allsoul. I take it, Mr. Long-fellow, that you too have seen your trouble in life's voyage. I feel that my own sad experience gives me the right to speak; you will take no offence, I'm sure. L. Oh, not at all. Certainly! I haven't been without my affliction. Miss A. (with a look of deep interest). A heart trouble, I fancy. Mr. L. Well—in that neighborhood—weak digestion.—[Harper's Bazar.]

PHYSICIANS recommend Dr. Henley's Celery, Beef and Iron for broken-down constitutions.

HORSE-RADISH—Sauerkraut, Limburger—W. Stephens, Mott Market. Telephone 751.

Gates' Concord Rattlers. 210-212 N. Main st.

THE hot sea-water baths are now open for patronage at the Hotel Arcadia, Santa Monica. The baths are located in the hotel building and the halls heated by steam. It snows and the water is taking cold. Elevators run to the bath rooms.

## THE WATER QUESTION.

Some Correspondence of General Interest.

The Valuation Placed by the City Company on Its Plant.

It Will Sell Out to the City for Two and a Half Millions.

The Offer Only Open for Twenty Days—Slow Work Getting the Consent of the Stockholders—The Committee's Reply.

Some days ago the special committee of the Council on water supply, consisting of Messrs. Bonsall, Innes and Rhodes, which has under consideration a plan for the city obtaining control of the water supply of the city and the perfecting of a complete system for the entire municipality, either by purchase or otherwise, sent a communication to the City Water Company, asking for a detailed statement of the present condition of its plant, and the price at which it would be willing to sell to the city. The communication was drawn up by City Engineer Dockweiler, and is in the nature of a series of questions as to the extent and nature of the company's headworks, of conduits, of reservoirs, filters, pipes, their size and character, house connections, their number and size, number and character of valves and pumps and their capacities—in fact, everything that would be calculated to throw any light on the subject.

The company replied to this communication Saturday evening, and Sunday a meeting of the committee was held. The matter was talked over, when it was decided to ask the company for further information, and yesterday it was decided to let the correspondence up to date public.

THE WATER COMPANY'S REPLY. Following is the water company's reply to the committee's communication asking for a detailed statement:

Los Angeles, Jan. 28, 1892. To the special committee of the Council of the City of Los Angeles appointed for the purpose of ascertaining from the water company of this city the price to be paid for the same.—GENTLEMEN: At our interview in the early part of this month you notified me that you wished to know the value of the Los Angeles City Water Company would sell all their property for, including all the water plants and property owned and controlled by it.

I stated to you that we would have an adjourned stockholders' meeting of the water company on the 16th, and that I would present the matter to the stockholders and ask them to fix a price for the works so owned and controlled, and report the result to your committee.

Failing to receive a quorum at the meeting and wishing to comply with your request, I sought the advice of the company's attorneys, who stated that in order to effect a sale of the property of the water company, the stockholders' meeting called for that purpose. To avoid the delay in calling a stockholders' meeting we at once commenced to take the written assent and consent of the stockholders, who stated that in a few days we can present to you the result. I notice that in the blank schedule made out by you engineer, the price of the water company is set at \$2,500,000. I have omitted a very valuable part of our properties and plant, which is all the property owned and controlled by the Los Angeles City Water Company on the east side of the river, viz.: The right of water development of 1500 acres of land in the Arroyo Seco and lands adjoining the same, which are already developed thereon, which at its great elevation above the city, the high hills which are in the city, and which can be supplied, and which is now supplying the high lands of East Los Angeles and Boyle Heights by gravity by the development of the water from the lands of the city through an eleven-inch pipe and from it distributed to consumers.

He also omitted in his schedule all the property of the East Side Spring Water Company, which is leased to our company and which is now in excellent condition, the company having enlarged and cemented the reservoir on the Florence Terrace hill and laid new and longer mains to and from the reservoir, have developed a flow of 700,000 gallons of spring water daily on the company's property purchased from Lind; also put in larger pumps, boilers, etc., also the connection with the Arroyo Seco supply, which is furnished the reservoir with a gravity pressure. These systems being supplied with gravity make them very valuable, and I have concluded that in a proposition to sell the water works we would certainly include the whole of those two systems, which are left out of the schedule.

The price at which we offer you the plants will embrace all the property, right of way, tools and machinery belonging to the Los Angeles City Water Company, the Crystal Springs Land and Water Company, the Arroyo Seco system, and the East Side Spring Water Company.

I feel authorized to offer to the city of Los Angeles the property of the Los Angeles City Water Company, at the price of \$2,500,000. This offer is made, as hereinbefore stated, without a regular meeting of the stockholders called for the purpose of considering the sale of the property, but I feel confident from assurances given me by a large number of the stockholders of the several corporations above named that the whole properties above mentioned can be purchased by the city at the price above stated. This offer should not be construed as a price, but as a statement of the value of the property, and that twenty days from this date, as expensive improvements are being made and further improvements contemplated, and in early answer thereto, at the price herein named. All questions as to the time and manner of payment are left open for future negotiations.

Most respectfully submitted, W. H. PERRY, President Los Angeles City Water Company.

Appended to the communication is the following certificate:

I, S. H. Mott, secretary of the Los Angeles City Water Company, Crystal Springs Land and Water Company, and the East Side Spring Water Company, do hereby certify that the several properties mentioned in the foregoing corporations have cost the present owners thereof in purchase price and improvements a sum aggregating considerably more than \$2,500,000.

The witness whereof I have hereunto set my hand this 20th day of January, 1892. S. H. MOTT, Secretary.

MORE INFORMATION DESIRED. In answer to this communication the following reply was framed by the committee and forwarded to the company yesterday morning:

Los Angeles City Water Company, W. H. PERRY, President—DEAR SIR: The Special Water Committee of the Council of the City of Los Angeles, in reply to your favor of the 20th ult., and in reply thereto beg leave to state that they are desirous of obtaining more complete information in accordance with the series of written questions sent you by our City Engineer.

The importance of the question to the people is of such a nature that we desire the fullest detailed information in order that the public and the Council may be able to analyze the matter and form an intelligent estimate as to the value aside from your offer.

If the questions propounded by our engineer do not cover your entire plant or are not in the form that you can answer, we suggest that you arrange them so that you can give us the information desired, it being our wish to treat you with all due courtesy that conclusions may be arrived at on a business basis that is fair to all concerned.

An early reply is respectfully solicited. Yours, etc., WILLIAM H. BONSAI, DANIEL INNES, W. H. RHODES, Special Committee.

THE STOCKHOLDERS MUST DECIDE. In reply to the above letter the fol-

## The Hotel del Coronado!

Without a doubt is the Grandest Seaside Resort in the World.

A TRIP to California is incomplete without a visit to this superb establishment. Its well-ventilated and sunny rooms, its bountifully-provided tables, enhanced by the choicest delicacies of the season; the pure and sparkling mineral water (free to all guests), these, with a great variety of in and out-door amusements, make this Hotel, in every respect,

Par Excellence.

Our Daily Excursions

Are well-patronized by an appreciative public, \$24.50 paying for a round-trip ticket, including nicely furnished room and board for one week; also transportation from depot to hotel and return.

Tickets for sale at Santa Fe office, 129 N. Spring st., and at First St. Depot. For further particulars apply to

T. D. Yeomans, Agt., 188 S. SPRING ST., Los Angeles.

IN THE Frostless Belt

We offer for sale in tracts to suit purchasers, 100 acres of lemon or orange orchards, one or two years old, with the late freeze did not injure. If there is any question in your mind as to this, call upon us and we will show you the proof.

We have thousands of acres of improved land that is frostless, with abundance of water from the Sweetwater Dam.

CHULA VISTA, with its 1200 acres of growing orchards, offers special inducements. We have several modern houses on this tract for sale with the lands. Apply to

SAN DIEGO LAND & TOWN COMPANY, 80 Fifth street, San Diego.

National City.

BUY Lemon Lands.

Following communication was received later in the day:

In reply to your communication of this date we say that in the proposition submitted to you on January 20, relative to the value of water works, in the statements therein made I went to the full extent of my authority, as the contract between the city of Los Angeles and the Los Angeles City Water Company, which is the basis of the value of the works at the termination of the contract, from which we cannot deviate. We cannot alter or change the value of water works, unless authorized or empowered to do so by the stockholders at a meeting legally called for that purpose.

Our stock has been sold, and is held by the stockholders subject to the provisions of the contract, and they must have a voice in everything that in any way affects it. We are obtaining the written assent of the stockholders who reside in other parts of the State and country, and others do not want to sell at the price stated, it being so far below the book value, from which, after deducting the bonded indebtedness and other liabilities from the price as given, the stockholders in some cases will not realize as much as their stock has cost them. For these reasons it has made the work of getting the assent of a majority of the stock to sell the works at the price difficult and tedious.

Yours truly, W. H. PERRY, President.

IN THE COUNCIL. In the Council yesterday afternoon the matter came up on a motion by Mr. Summerland that the water correspondence be read. Mr. Bonsall then made a statement outlining what had been done, and stating that the Council will be kept fully posted as to what is going on. The committee at work, and at the proper time will put in its report. The letters were then read and the matter dropped. It will probably be several days before there are any new developments.

TWO TELLING PAPERS. A Ten Years' Showing for Los Angeles City and County.

The Decennial Anniversary Number of THE TIMES, published—December 4, 1891, and the Annual Trade Number, published January 1, 1892, are issues of exceptional merit, making together three full sheets filled with solid information about the rare country of the Southern Pacific Slope.

Citizens! spread these publications abroad by hundreds and thousands of copies! They are the most interesting and effective missionary agents that can be sent out, by reason, particularly, of the ten years' showing and contrast presented in their columns. They are distinctly Los Angeles publications, and make the city and county luminous.

All the matter in these issues is of permanent interest—the merely ephemeral portions having been eliminated. They will, therefore, be timely for months to come; but now is the best time to circulate them, and 100,000 copies can be supplied for that purpose.

Orders sent to the counting-room by mail, messenger or TIMES carriers—will be carefully filled.

The two papers, wrapped together and postpaid, 10 cents. Prices in lots: 5 copies, 50 cents; 10 copies, \$1.00. Send your distant friend the two papers and enlighten him about Los Angeles and surroundings.

THE TIMES-MIRROR COMPANY. DRINK DELBECK CHAMPAGNE. H. J. Woolcott, Agent.

Send Stamp for Eye Test Gold Chains, 95c.

KEENE & CO., 101 Washington Street, Boston, Mass.

E. HANSELL, 822 Downey Ave., East Los Angeles.

Astbury Shorthand School. Rooms 9, 10 and 11 Phillips Block N. Spring street over People's store, take elevator. Individual lessons in shorthand; no extra charge for typewriting. Call or send for catalogue.

East Side Notes. The streets were almost entirely deserted all day yesterday on account of the rain.

The Presbyterians are taking advantage of the weather and have men at work making some necessary interior improvements and alterations to the church on Daly and Downey avenue. New carpets are being put in and the paint and varnish retouched, vastly bettering the appearance when completed.

The police made their customary change of watch for the month at noon yesterday.

The A.O.U.W. ball at Banquet Hall last Saturday night was well attended, and was a success, as usual, about thirty couples participated in the grand march, and as the evening advanced the numbers increased, the crowd dispersing shortly before midnight.

DR. PRICE'S Cream Baking Powder.

Used in Millions of Homes—40 Years the Standard



NOW ON EXHIBITION!

A Grand Collection of Oriental Rugs, Carpets, Tapestries

Direct from the ORIENTAL ART ROOMS, Of Costlyan & Bedrosian, Constantinople.

This is by far the most magnificent collection ever brought to this city, and well worth the inspection of all art lovers. All goods will be offered at private sale during this week, and COMMENCING MONDAY, FEBRUARY 8, the entire collection will be sold at auction at 213 S. BROADWAY, near Second (Potomac Block). You are respectfully invited to attend. Catalogues now ready.

Costlyan & Bedrosian, Importers.

MATLOCK & REED, 246 SOUTH SPRING ST.

General Auctioneers!

Make sales of Real Estate, Merchandise, Live Stock, Furniture, Etc.

In any part of Southern California. Pay Highest Cash Price for Furniture or Merchandise.

Also inducements made on consignments.

MATLOCK & REED, AUCTIONEERS.

THE Gem of the San Gabriel Valley.

ONLY Three Miles from City Limits of Los Angeles.

PROPERTY of San Gabriel Winery, Co., Original Owners.

LOCATED at Shor's Station, on line of S. P. R. R. and San Gabriel Valley Rapid Transit Railroad.

FROM 10 to 15 minutes to the Plaza, Los Angeles city.

CHEAPEST Suburban Town Lots, Vine St. to City.

POPULAR Terms. Best Spring Water.

INEXHAUSTIBLE Quantities Guaranteed.

Apply at office of SAN GABRIEL WINE CO., Ramona, Los Angeles Co., Cal.

Or to M. D. WILLIAMS, Ramona.

AUCTION!

Valuable Residence Property 155 Beaudry ave.

—ON PREMISES—

Thursday, Feb. 4, at 11 a.m.

We will sell the elegant 2-story residence containing 8 rooms, elegantly decorated in East Lake style, with wood and tile mantle, with hot water and all modern improvements; lot 10510 feet; situated near the Temple St. and Electric line of cars.

TERMS: One-third cash, balance 1 and 2 years at 8 per cent.

Thos. B. Clark, AUCTIONEER.

Nitrate of Soda

(Chile Salt-petre)

Pure Bone Meal

THE BEST Fertilizers...

CHILD & WALTON, Importers of Nitrate. 118 S. Main st.

\$1.95 SOLID GOLD.

Send Stamp for Eye Test Gold Chains, 95c.

KEENE & CO., 101 Washington Street, Boston, Mass.

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J.T. SHEWARD 113-115 North Spring St.

## IT LOOKED...

A few days ago as if the Citizens' Water Company had secured control of the weather and placed a meter on it, but thanks to the courts and a higher power we have now plenty of













Lillian School concert in Y.M.C.A. members' course tonight.

Prof. Bernard Berg is happy over the arrival of a eleven-pound boy. Mother and child doing well.

There are undelivered telegrams at the Western Union Telegraph office for Virginia D. Miranda, Mrs. Julia Coulson, Miss May Henderson.

Being only two doctors and one plain citizen members of the Board of Education present last night, an adjournment was taken until a week from next Monday evening.

The regular monthly meeting of the News and Working Boys' Home will be held Wednesday morning at 10 o'clock at the Home, at No. 319 East First street. A full attendance is desired.

Yesterday was a good day in the Police Court for drunks, etc. Nine of them were fined from \$5 to \$30 or the same number of days in the chain gang and several disturbers of the peace were attended to.

Pearl Petty, the little girl who is charged with battering another little girl, appeared in the Police Court yesterday, but as she was not ready to go to trial, the case was continued until the 6th inst. This promises to be a very amusing case.

The Poverty Club gave a birthday dinner yesterday at 12 o'clock to three of its members, George W. P. Holton, J. Carran and Hon. George M. Holton, the last of February marking the birth of all three of these gentlemen. The affair was a very enjoyable one.

Charles Gassen, Jr., who was arrested Sunday afternoon on a charge of being drunk and jumped out of the patrol wagon on his way to the central station, was convicted and sentenced to pay a fine of \$30 or go to jail for thirty days, but as he had not paid his fine up to a late hour.

Jack Jones, a bartender in one of Bob Curran's saloons, was taken seriously sick the other night and it is said he cannot recover. Jones used to be chief of the fire department of Tucson, Ariz., and was a prominent politician of that place. He has lived in this city several years and has a number of friends.

Hotel and restaurant keepers are complaining about the increase of dead beats, and hardly a day passes without one or more of these individuals coming to the front. Some of these people are well-dressed, in fact, most of them are, and as the proprietors dislike to have a decent-looking man arrested for a small amount the fellows generally escape.

#### NEWS AND BUSINESS.

**The Weather.**  
U. S. WEATHER OFFICE, LOS ANGELES, Feb. 1, 1892.—At 5:00 a.m. the barometer registered 30.00; at 5:00 p.m. 30.03. Thermometer for corresponding hours showed 47° and 49°. Maximum temperature, 52°; minimum temperature, 45°. Rainfall for the past twenty-four hours, 1.22. Rainfall for the season, 4.15.

**INDICATIONS.**  
SAN FRANCISCO, Feb. 1.—Forecast till 8 p.m. Tuesday for Southern California: Fair, preceded by scattering rains.

Dewey's 55 cabinet photos reduced to \$3.50. "Santa Fe route," from the mild Pacific to the raging Atlantic. We run tourist sleeping cars without change in our excursions from Los Angeles to Boston via the Grand Santa Fe route, and each excursion has on board one of the highest class of sleeping cars. In looking after our patrons, you will save time and expense by calling at our city office, 125 North Spring street, or at the First street station, and purchase your ticket by the "old reliable Santa Fe" route. Through car service without change.

#### LEADING A LIFE OF SHAME.

A Young Woman Who Refuses to Return to Her Relatives.

The Chief of Police received a singular letter from the Chief of Police of Helena, Mont., yesterday morning. The letter stated in this letter that he had a young sister in this city who was kidnapped by a notorious French "mac" of this city named Pauley. The letter states that the girl had been placed in a crib on one of the notorious streets, and he asked that his little sister be taken from the "mac" and returned to him.

A description of the girl was given Detective Bosqui and he soon located the girl and her lover and conducted them to the city prison, when she was made acquainted with the contents of her brother's letter.

She positively refused to give up her life of shame and stated that her brother is to blame for the life she is now leading. A few years ago he went to France and induced her parents to allow her to come to this country with him. He told her parents that he was running a big restaurant in Montana, and wanted his sister to help him in the management of the restaurant.

Instead of treating her as he should he placed her in a house of prostitution and compelled her to lead a life of shame. She made her escape as soon as possible and came to this city, but she could get nothing to do to earn an honest living so she went back to a life of shame, and she does not propose to give it up to go back to her brother.

She seems quite young, but says she is 21 years of age, and nothing can be done with her by the authorities. Her brother was so notified.

Two facts have been pretty conclusively settled in the minds of the public—the first, that the Royal Baking Powder Company has found the means, and uses them, to make a chemically pure article of food; and the other, that the market is full of poisonous, alum and other adulterated baking powders, which, no matter how strongly indorsed by "commercial" chemists, are to be studiously avoided.

A pure baking powder is one of the chief aids to the cook in preparing perfect and wholesome food. The recent controversy in the press has left it no longer a question with those who desire purity and wholesomeness of food what baking powder they shall use.

**Children Cry for Pitcher's Castoria.**

CATARHUS CURED, health and sweet breath secured by Shiloh's Catarrh Remedy. Price 50 cents. Nasal Injector. Wholesale by Haas, Baruch & Co., and all retail druggists.

WILLIAM A. AIKEN, architect, Room 12, Burdick Block.

**Fruit Trees for Sale.**  
In large or small quantities, all guaranteed true to name and first-class. To wit: one and two-year-old improved soft-shell walnuts, various kinds of figs—White Smyrna, first choice, Brown Smyrna, Brown Ischia, White Adriatic and White Adriatic—French prunes, plums, apples, pears, peaches, apricots, almonds, olives, two-year-old rooted grape-vines, all California-grown, and true, well represented. Now being offered for sale at very low prices, by J. K. STEWART, at P. O. Box 12, Downey.

**WHAT HACKING COULD BE** can be so fully cured by Shiloh's Catarrh Remedy. Wholesale by Haas, Baruch & Co., and all retail druggists.

#### SOMEWHAT MIXED.

The Colonelcy of the Seventh Regiment, N. G. C.

A Decision by Judge Clark in the Russell-Schreiber Case.

A Rather Peculiar State of Affairs Brought About.

Col. Russell Had Not Been Properly Ousted When Col. Schreiber Was Appointed, Therefore No Vacancy Existed—The Case Reviewed.

The long-pending case of the people vs. Schreiber, which has attracted more or less attention for some months past in National Guard circles, has been settled. Judge Clark handed down his decision yesterday, the main points of which are as follows:

This is a writ of quo warranto brought in the name of the people at the relation of W. H. H. Russell and by the direction of the Attorney-General to try the title to the office of colonel of the Seventh Regiment of Infantry, First Brigade of the National Guard of California.

The relator was duly elected and commissioned to said office for the term of years from the 5th day of May, 1888, on the 7th day of February, 1891, at an election held pursuant to a special order of the board of location and the defendant, William G. Schreiber, was elected to the office of colonel of said regiment and thereafter a commission was issued to him.

Defendant was, of course, elected and commissioned upon the theory that a vacancy existed in said office, and whether or not such vacancy did exist is the question to be determined by the court. The evidence discloses that before a court-martial convened in April, 1890, the relator was elected and commissioned as colonel of the Seventh Regiment of Infantry, First Brigade of the National Guard of California.

Section 2079, P. C., provides that a person so sentenced may apply to the commander-in-chief to revise the proceedings and to disapprove them or pardon the offense, in which case the proceedings shall be transmitted to the commander-in-chief and the execution of the sentence suspended until the proceedings be returned with the decision thereon.

From the sentence of the court-martial the relator appealed to the commander-in-chief and the same was affirmed by the general order No. 11, by the commander-in-chief and signed by the adjutant-general, was issued from the general headquarters at Sacramento. This order, after reciting the facts, the grounds of appeal and the reasons of the decision, proceeds as follows: "For the foregoing reasons the proceedings, finding and sentence in the case of Col. W. H. H. Russell, Seventh Infantry, N. G. C., are disapproved and he is released from arrest. The evidence in this case shows gross carelessness in the performance of his duty by Col. Russell and negligence in the management of the financial affairs of the regiment, running through a long term of years. It also shows a want of respect for superior authority and a disposition to disobey lawful orders. Petitioner, in a large number of officers and enlisted men of his regiment have been received at these headquarters asking that the sentence of the court-martial be carried into effect and that he shall be discharged from the State military service. For the foregoing reasons the court-martial is affirmed and the sentence is carried into effect. The relator is to be placed upon the retired list, or his resignation, is not in his power, and he is to be placed in position will be made vacant by disbanding the regiment, which will be effected by mustering out one or more of the companies composing it."

Col. Russell made no application to be placed upon the retired list nor did he place his resignation in the hands of the brigade commander within the said ten days, and on August 1, 1890, a special order was issued transferring Col. G. Seventh Regiment, to the Ninth Regiment. Judge Clark then gives the details of the transfer and also the order transferring Col. G. back to the Seventh Regiment, which took place September 1, 1890, and continues:

It will be seen, therefore, that instead of taking the straight path the commander-in-chief went prouetting round through the woods; that instead of approving the proceedings of the court-martial and dismissing the relator from the service he attempted to accomplish the same end by indirect means, and although great order No. 11 and special order No. 35 speak of the office or "position" being made vacant the theory evidently was that upon order No. 35 the relator was to be placed in the position of the regimental organization of the Seventh Regiment and *quo facto* abolished the office of colonel. I am not inclined to the opinion that such result would necessarily follow or that officers can be so removed from office.

Officers of the National Guard are executive officers of the State (P. C., sec. 241), and the tenure of their office is regulated by law. Sec. 1939, P. C., reads: "The rules and regulations of the army of the United States so far as the same may be applicable and not inconsistent with the laws of this State and the rules and regulations of the commander-in-chief constitute the rules and regulations for the government of the National Guard." Article 99 of the rules and regulations of the United States army provides that in time of peace no officer shall be dismissed except in pursuance of the sentence of a court-martial, or in mitigation thereof, this conflicts with nothing in the statutes of the State or the rules and regulations adopted by the commander-in-chief. Regulation 387 provides that an officer may be removed by sentence of a general court-martial or for removal from the limits of his brigade or absence from the State without leave for the period mentioned in section 1939, P. C.

It is upon sections 1938 and 1913, Section Code, that counsel for plaintiff would seem mainly to rely. The former provides that the commander-in-chief may at any time, for good and sufficient cause, disband any portion of the National Guard, and the latter reads: "The commander-in-chief, major-general, adjutant-general and the brigadier-general of each brigade constitute a board of location and organization of the National Guard within such brigade with power to transfer, attach, consolidate or disband companies and to reorganize at pleasure regiments and battalions."

There was, I think, no disbanding of any portion of the National Guard within the meaning of section 1938 supra, and it is evident from the record that it was under section 1913 supra that the proceedings were taken. It is plain that it is not the intention of the law that field-officers of the National Guard duly elected and commissioned should hold office at the pleasure of the commander-in-chief (see P. C., sec. 1917), or of the board of location and organization, and while it is probably true that by proceedings regularly had under either of said sections certain military officers might cease to exist, yet the law having provided for the removal of officers by sentence of court-martial, and the rule being that where the law provides a method for the removal of an officer it means that he shall be removed in no other manner, it is at least doubtful whether where, as in the case at bar, it is evident from the record of the proceedings that action was taken under said section for a purpose not contemplated by the section it would be held to be legal. All acts done to accomplish an illegal purpose are themselves illegal.

Admitting, however, that the board of location and organization has the power to rid the service of an obnoxious officer by transferring a company from one regiment to another regiment on one day and back again to the former regiment on the next day, still no such power rests in the commander-in-chief. Sec. 1913 supra does not

Highest of all in Leavening Power.—Latest U. S. Gov't Report.

## Baking Powder

### ABSOLUTELY PURE

read, "The commander-in-chief, with the consent and approval of the major-general, adjutant-general, etc., shall have power to transfer, attach, consolidate, etc." The power rests in the board and in the exercise of that power they must act as a board. The evidence here shows that the order of transfer was made by the commander-in-chief. It recites that it was made with the approval of the board of location and organization, but the only evidence of any action by the board is a copy of the minutes of the board of date September 1, 1890, which shows that without any formal meeting the officers constituting the board by correspondence through the major-general and adjutant-general in special orders 35 and 39 of the commander-in-chief transferring Co. G from the Seventh Regiment to the Ninth Regiment of the First Brigade and back again to the Seventh Regiment.

This was not, I think, sufficient. It follows that I am of the opinion that special order No. 35 did not destroy the regimental organization of the Seventh Regiment; that at the time of the election of defendant no vacancy existed in the office of colonel thereof and that defendant has no title to said office. I agree with counsel for defendant that the court has no power to review the order of the commander-in-chief that the relator shall not assume command of his regiment, and no order or decree will be made reinstating him in command. But the argument that the court has no jurisdiction to try the question of title to the office of colonel is without merit. If any person claims title to any office created by the law of the State, whether civil or military, his right thereto may be determined by suit brought by the attorney-general in the name of the people. (C. C. P., sec. 803.)

It is provided by section 809, C. C. P., that if the defendant against whom such an action is brought is adjudged to be usurping or unlawfully holding such office, judgment must be rendered that he be excluded from the office, and that he pay the costs of the action, and the court may in its discretion impose a fine not exceeding \$5000.

This is not a case that would justify the imposition of any fine. The question whether field officers of the National Guard can be removed from office in the manner here attempted is a question of interest and one upon which a decision of the Supreme Court would be of value. Findings can be so drawn that the question can be expeditiously presented to the tribunal by appeal upon the judgment roll. Let findings and judgment be entered in accordance herewith.

#### AN AWARD POSITION.

Col. Schreiber was seen by a TIMES reporter yesterday afternoon, when asked what action he intended to take, he stated that he did not know until he had taken legal advice. He had his commission as colonel, signed by the Governor, and an order to take command of the Seventh Regiment, which had been issued by the commander-in-chief. He stated that he would continue to exercise the functions of the office he could not say. In the meantime, however, no order had been made by the court directing Col. Russell to take the position, who, as a matter of fact, is in no better position than he has before. The colonel is not in a position to take the position until orders are received from headquarters.

Col. Butler was also seen, but he stated that he had not read the decision and would reserve his opinion until after he had had an opportunity to do so. Altogether, it is a very awkward state of affairs all round. It is generally conceded by members of the Guard that they are in a very peculiar position, and a majority of them are undecided as to whether they have a colonel or not.

The case will be taken to the Supreme Court, and in the meantime the various companies will be reduced to 75 and 80 men, until orders are received from Sacramento.

Licensed to Wed.  
Marriage licenses were issued at the County Clerk's office yesterday to the following persons:

C. W. Belknap, a native of Wisconsin, 30 years of age, of Acton, to Alice Gurnin, a native of Kansas, aged 18 years, of University.

Nathan Strassberger, a native of Bavaria, 32 years of age, to Tillie Kline, a native of Illinois, 31 years of age, both residents of this city.

#### A GREAT LOSS.

\$10,000 Millinery Stock on the Market at the Public Sale.

More trimmed hats by half than the season demands; an aim to realize on a millinery stock quickly. Winter styles in fine quality of trimmed hats and trunks offered for sale at 50c, 75c and 85c, many of the same kind having been sold before Christmas for \$2.50 to \$5. This sale is not the regulation catch-penny humbug, but is a genuine clearance of winter millinery regardless of first cost.

Children's Fur Felt Hats, trimmed with cord, 35c worth a dollar.  
Children's Felt Hats, trimmed stylish with ribbon and pins, reduced to 75c and 85c to sell them at once, regular price being \$1.50 and \$2.00.

Our lady readers in need of millinery will do well to take advantage of this sale. Everything in the millinery line goes; fancy feathers, ribbons and jets, all less than first cost price to make room for the new spring stock at

**MOZART'S MILLINERY.**  
240 S. SPRING ST., bet. 2d and 3d.

**CROUP, WHOOPING COUGH** and Bronchitis immediately relieved by Shiloh's Cure. Wholesale by Haas, Baruch & Co., and all retail druggists.

**DR. HENLEY'S Celery, Beef and Iron cures** most cases of weakness than any known tonic.

Columbus Buggy Company's Buggies, 219-222 N. Main st.

IF YOU are troubled with the grip call on H. J. Woolcott, Nos. 194 and 196 N. Spring street, and purchase a bottle of Imperial Ry Whisky.

Dr. G. Beaumont.  
Specialist. Treats all chronic diseases. Office, 126 1/2 South Spring street.

**TEN DOLLARS REWARD.**—In some cases of the many complaints of the city of Los Angeles for the past sixty days a reward of \$10 for the arrest and conviction of any of the offenders.

A Much-Needed Want Supplied.  
I know of no other remedy which so largely meets the wants of the people as Eucalypti Extract. Within my own observation it has proven itself to be a most effective remedy. Will do even more than is claimed for it.

**MISS EMMA CORD.**  
Pomona, Cal.  
New Carriage Repository, 2012 1/2 N. Main.

**MESSRS. HANNA & WEBB,** resident agents of the Home, of New York, and the Providence Washington Insurance Company, have removed to more commodious quarters at 204 S. Spring st., opposite the Hollenbeck Hotel, where they will conduct a general real estate and insurance business.

**THE RICHELIEU HOUSE,**  
SANTA ANA, CAL.  
Terms \$1.00 to \$2.00 per day. Special attention paid to tourists and commercial travelers. VACANCY ALWAYS.

#### THE RAIN.

Over an Inch in Twenty-four Hours—Condition of the Streets.

It rained steadily from yesterday morning at 8 o'clock until evening, and over an inch of rain fell.

The rain was general all over Southern California and it is safe to say that the country is safe now, if there are a few more rains during the next two months. There was not enough rain yesterday and last night to affect the river, but there has been considerable snow up in the mountains and if it turns warm before the storm ceases there may be a small freshet from the melting snow.

All the crossings south of Second street were flooded yesterday and it was almost impossible for people without high gum boots to get about. This state of affairs is caused by the plugging up of the storm drains at the crossings, and as the water has no outlet it floods the streets.

During the afternoon some of the streets in the southern portion of the city were covered with water two or three inches deep and at the crossings the water was a foot or two deep and running like a young river.

The rainfall for the twenty-four hours ending at 5 o'clock yesterday afternoon, as reported by the Government observer, was 1.22 inches, which brings the total for the season up to 4.15 inches.

#### Old People.

J. V. S. is the only Sarsaparilla that old or feeble people should use, as the mineral potash which is in every other Sarsaparilla that we know of, is in certain conditions known to be emulating. J. V. S. is the contrary is purely vegetable and stimulates digestion and creates new blood, the very thing for old delicate or broken down people. It builds them up and prolongs their lives. A case in point:

Mrs. Beiden an estimable and elderly lady of 510 Mason St., S. F. was for months declining so rapidly as to seriously alarm her family. I got so bad that she was finally afflicted with dropsy and she writes: "While in that dangerous condition I saw some of the testimonials concerning J. V. S. and sent for a bottle. That marked the turning point. I regained my lost flesh and strength and have not felt so well in years." That was two years ago and Mrs. Beiden is well and hearty to-day, and still taking J. V. S.

If you are old or feeble and want to be built up, ask for

**Joy's Vegetable Sarsaparilla**  
Most modern, most effective, largest bottle. Same price, \$1.00, \$1.50, \$2.00.  
For sale by OFF & VAUGHN, the Druggists, N. E. cor. Spring & Fourth sts.

**Teeth Extracted Free**  
FROM 10 TO 1 A. M.

**Bridge Work a Specialty.**  
Gold or porcelain crowns, \$5. Sets of Teeth, upper and lower, \$15. Set of Teeth, upper or lower, \$7. Teeth filled with gold, \$1 and up. Teeth filled with silver, \$1. Teeth extracted without pain by use of gas, \$1.

**All Work Warranted.**  
**DR. C. H. PARKER,**  
COR. BROADWAY AND THIRD STS.  
(Entrance on Broadway.)

**MOSGROVE'S DRESSMAKING!**  
This department is under the management of the most experienced and thorough cutter and fitter on this Coast. For perfection of fit and finish, no other dressmaker can be compared with MOSGROVE'S. All work guaranteed first-class. Satisfaction guaranteed. Bring your own material or select from a large and exclusive class of newly designed patterns from stock. Prices as low as any first-class costumer.

**FURS ALTERED AND REPAIRED.**  
All kinds of fur work done in the house. The only place in Southern California. Seal skins retined, renovated and redyed; short coats and all varieties of furs. All work guaranteed first-class. MOSGROVE'S Cloak and Suit House, 119 S. SPRING ST., Los Angeles.

**THE DELIGHT.**  
307 S. Spring st.  
Clearance sale of winter millinery at less than cost to make room for a large stock of spring goods. A fashionable dressmaking department is in connection with our establishment. Rates reasonable.

Miss J. A. Williams, Manager.  
G. A. Neth, Proprietor.

**MISS M. A. JORDAN,**  
318 S. SPRING ST.,  
Millinery Importer  
And dealer in all the latest Novelties of LADIES' HEADWEAR. Special attention given to MANICURING and SHAM-POOING. Also agent for Miss Beards' Hair Dressing Fluid, celebrated for its lasting quality.

**MISS MAY O. PIERSON,**  
DRESSMAKING PARLORS  
Corner Third and Spring, rooms 3, 9, 11. Reception Room, No. 11.  
Work done on short notice and in the VERY BEST STYLE.

Special attention given to orders from TOURISTS.

**THE TAILOR**  
REMOVED TO  
250 S. Spring St.  
IMMENSE REDUCTIONS.  
Pants to Order, \$3.50 to \$12.  
Suits to Order, \$15.00 to \$40.

All work made in Los Angeles by First-class Workmen!  
FIT GUARANTEED.

**Los Angeles Rubber Stamp Co.,**  
Notary and Corporate Seals, Rubber Stamps, Brass Stencils, Keys and Baggage Checks, Badges, Steel Stamps, etc.

224 West First st.,  
Near Broadway, Los Angeles.

**PIONEER TRUCK CO.,**  
NO. 3 MARKET STREET.  
Piano, Furniture and Safe Moving. Baggage and Freight delivered promptly to address. Telephone 125.

**THE RICHELIEU HOUSE,**  
SANTA ANA, CAL.  
Terms \$1.00 to \$2.00 per day. Special attention paid to tourists and commercial travelers. VACANCY ALWAYS.

## HAND IT TO YOUR FRIENDS



Seal of North Carolina

Seal of North Carolina

Seal of North Carolina

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Where are you going my pretty maid?  
"I'm going to the London Clothing Company, Sir," she said.

EVERY day we see our old customers coming back, and they frequently bring their friends with them. Good clothing at popular prices and everything guaranteed to give satisfaction is what does it. As we write, a customer is standing in front of our desk. He is talking to the salesman, who has just sold him a \$20 suit.

THIS is what he says: "I have been trading with this house for the last six years; so do my sons. We like your way of doing business."

Our long experience in selecting clothing for this community enables us to please our customers. We carry a very large stock and come pretty near having what you are looking for. Our spring stock is now being shipped; every day we receive invoices, and we promise you that in the future, as in the past, to serve you well. We have secured the exclusive control in Southern California of the productions of several of the best makers of Men's and Boys' Clothing in the United States.

Just now bargains are plentiful at the old corner. We are pushers for trade.

**Bargains are Plentiful!**

**London Clothing Co.**  
Corner Spring and Temple Streets

**NOTHING! CAN CHECK IT.**  
CHECK WHAT?

**THE SALE OF LANDS AT EAST WHITTIER!** The breeze which they called a gentle zephyr that shook 'em up at Pasadena didn't hurt East Whittier. The frost that so seriously afflicted nearly the whole of Southern California did not touch East Whittier. The cyclone that is whirling about the Reform School, although it is close by, don't bother East Whittier. The talk about war with Chile doesn't chill East Whittier, when she comes, won't reach East Whittier. The big rains the prophets say are coming won't hurt East Whittier, as she is above 'em all, sitting in the foothills arms sunny, her young lemon trees in bloom; her 8-year orange trees loaded with golden fruit, and her sales going merrily on to the tune of first come, first served.

Buy a Ten,  
Set it out,  
Let it grow;  
Few years make  
You rich.  
Live happy ever after.

It's a fact that the choicest locations are going fast, so come and make your selection. \$200 per acre is still the price. Call on DR. JESSOP at Whittier; he has the easiest riding cart on the road and will show you the lands. Bring along your wife as she will want to see the land too, and it will save your going back to consult. For any question you want answered write the Doctor, or